

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**Cheetah Omni LLC,**

*Plaintiff,*

vs.

**Alcatel-Lucent USA Inc., et al.**

*Defendants.*

HONORABLE TIMOTHY B. DYK

Case No. 6:11CV390

JURY TRIAL DEMANDED

**NOTICE OF APPEAL TO THE FEDERAL CIRCUIT  
COURT OF APPEALS**

---

Cheetah Omni LLC, plaintiff/counter-defendant in the above-identified case, appeals to the **United States Court of Appeals for the Federal Circuit** from the Amended Final Judgment as to defendants Tellabs, Inc., Tellabs Operations, Inc., and Tellabs North America, Inc. (collectively, “the Tellabs Defendants”) entered in this action on February 21, 2014 and from all underlying orders, including:

1. The Court’s Memorandum Opinion and Order regarding claim construction entered April 11, 2013.
2. The Court’s Opinion and Order granting summary judgment to the Tellabs Defendants entered February 3, 2014.

3. The Court's Amended Opinion and Order granting summary judgment to the Tellabs Defendants entered February 21, 2014.

Dated: March 6, 2014

Respectfully submitted,

By: /s/ Thomas A. Lewry  
Thomas A. Lewry (MI Bar No. P36399)  
(Lead Attorney)  
John S. Le Roy (MI Bar No. P61964)  
Robert C.J. Tuttle (MI Bar No. P25222)  
John M. Halan (MI Bar No. P37616)  
Christopher C. Smith (MI Bar No. P73936)  
**Brooks Kushman P.C.**  
1000 Town Center, 22<sup>nd</sup> Floor  
Southfield, Michigan 48075-1238  
Tel: (248) 358-4400 – Fax: (248) 358-3351  
Email: tlewry@brookskushman.com  
jleroy@brookskushman.com  
rtuttle@brookskushman.com  
jhalan@brookskushman.com  
csmith@brookskushman.com

T. John Ward, Jr. (TX State Bar No. 00794818)  
Jack Wesley Hill  
**Ward & Smith Law Firm**  
1127 Judson Road, Suite 220  
PO Box 1231  
Longview, Texas 75606  
Tel: (903) 757-6400 – Fax: (903) 757-2323  
Email: jw@jwfirm.com  
wh@jwfirm.com

Eric Miller Albritton  
**Albritton Law Firm**  
PO Box 2649  
111 West Tyler, 75601  
Longview, TX 75606  
Tel: (903) 757-8449 – Fax: (903) 758-7397  
ema@emafirm.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on March 6, 2014.

/s/ Thomas A. Lewry